

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 63010		Date of mailing <i>(day month year)</i> FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/EP2004/050330	International filing date <i>(day month year)</i> 18.03.2004	Priority date <i>(day month year)</i> 21.03.2003
International Patent Classification (IPC) or both national classification and IPC TDA ARMEMENTS S.A.S		
Applicant		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT ISA 220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT ISA 220.

3. For further details, see notes to Form PCT ISA 220.

Name and mailing address of the ISA EP Facsimile No.	Authorized officer Telephone No.
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/EP2004/050330

Box No. I	Basis of this opinion
1.	<p>With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.</p> <p><input type="checkbox"/> This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).</p>
2.	<p>With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:</p> <p>a. type of material</p> <p><input type="checkbox"/> a sequence listing</p> <p><input type="checkbox"/> table(s) related to the sequence listing</p> <p>b. format of material</p> <p><input type="checkbox"/> in written format</p> <p><input type="checkbox"/> in computer readable form</p> <p>c. time of filing/furnishing</p> <p><input type="checkbox"/> contained in the international application as filed.</p> <p><input type="checkbox"/> filed together with the international application in computer readable form.</p> <p><input type="checkbox"/> furnished subsequently to this Authority for the purposes of search.</p>
3.	<p><input type="checkbox"/> In addition, in the case that more than one version or copy of a sequence listing and or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.</p>
4.	<p>Additional comments:</p>

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Box No. II Priority

1. The following document has not yet been furnished:

copy of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(a)).
 translation of the earlier application whose priority has been claimed (Rule 43bis.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date in the claimed priority date.

2. This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43bis.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

**WRITTEN OPINION OF THE
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International application No.
PCT/EP2004/050330

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	
1. Statement		
Novelty (N)	Claims	2-4,7
	Claims	1,5,6,8-10
Inventive step (IS)	Claims	
	Claims	1-10
Industrial applicability (IA)	Claims	1-10
	Claims	

2. Citations and explanations:

1. In reference to the following documents:

D1 : FR-A-2158969
D2 : EP-A-0179753

2. The present application does not meet the conditions stated in PCT article 33(1), since the object of the independent claim is not in compliance with the criterion of novelty as defined in PCT article 33(2).

Document D1 describes (see page 1, line 33 - page 3, line 17; figures 1-5; references between parentheses apply to this document):

An interface between a vehicle (1) and a weapon (2), the aforementioned interface comprises at least one retractable structure (14), intended to form a mechanical liaison between vehicle (1) and weapon (2) that when it is retracted, retractable structure (14) being configured to allow clearance of weapon (2) with respect to vehicle (1) that the stress of the launched projectile is not transmitted to vehicle (1) when it is slackened.

3. The same argument applies *mutatis-mutandis* to the object of the corresponding independent claims 9 and 10, which are not novel (PCT article 33(2)).

4. Dependent claims 2-8 do not contain any characteristics which, in combination with those of any one of the claims to which they refer, defines an object that meets the requirements of the PCT with regard to innovation and/or inventive activity, for the following reasons: The characteristics of claims 5,6 and 8 are revealed in document D1 (see page 1 line 33 - page 3, line 17; figures 1-5). The characteristics of claims 2-4, 7 are suggested by document D2 (see page 14, line 28 - page 21, line 11; claim 1; figures 1-3).